

LEGISLATIVE FISCAL OFFICE

Fiscal Note

Fiscal Note On: **HB 564** HLS 09RS 1109

Bill Text Version: ENROLLED

Opp. Chamb. Action:

Proposed Amd.:

Date: July 8, 2009 10:23 AM

Sub. Bill For.: **Author:** ABRAMSON

Dept./Agy.: Corrections

Subject: Crime Analyst: Kristy F. Gary

CRIME/SEX OFFENSES

EN INCREASE GF EX See Note

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Creates the crime of trafficking of children for sexual purposes

The proposed legislation creates the crime of trafficking of children for sexual purposes. Proposed law provides for definitions and the following penalties for the crimes:

- 1) General penalty includes a fine of not more than \$50,000, imprisonment with or without hard labor for not less than 15 years, nor more than 50 years, or both.
- (2) When the victim is under the age of 14, the offender shall be fined not more than \$75,000, and imprisoned at hard labor for 25 to 50 years, with a minimum mandatory sentence of 25 years.
- (3) When the offender is a parent, legal guardian, or person with custody of a minor, he shall be required to serve at least 5 years of the sentence imposed without benefit of probation, parole, or suspension of sentence.
- (4) When the offender is a parent, legal guardian, or person with custody of a victim who is under the age of 14 years, the offender shall be required to serve at least 10 years of the sentence imposed without benefit of probation, parole, or suspension of sentence.

EXPENDITURES	2009-10	2010-11	2011-12	2012-13	2013-14	5 -YEAR TOTAL
State Gen. Fd.	INCREASE	INCREASE	INCREASE	INCREASE	INCREASE	
Agy. Self-Gen.	\$0	\$0	\$0	\$0	\$0	\$0
Ded./Other	\$0	\$0	\$0	\$0	\$0	\$0
Federal Funds	\$0	\$0	\$0	\$0	\$0	\$0
Local Funds	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>
Annual Total	\$0	\$0	\$0	\$0	\$0	\$0
REVENUES	2009-10	2010-11	2011-12	2012-13	2013-14	5 -YEAR TOTAL
State Gen. Fd.	\$0	\$0	\$0	\$0	\$0	\$0
Agy. Self-Gen.	\$0	\$0	\$0	\$0	\$0	\$0
Ded./Other	\$0	\$0	\$0	\$0	\$0	\$0
Federal Funds	\$0	\$0	\$0	\$0	\$0	\$0
Local Funds	SEE BELOW					
Annual Total	\$0	\$0	\$0	\$0	\$0	\$0

EXPENDITURE EXPLANATION

Proposed legislation would result in an increase in state general fund expenditures. The exact fiscal impact of the passage of this legislation is indeterminable because it creates a new crime and there are no statistics available regarding this new crime. It will cost the state approximately \$24.39 per day per offender sentenced to the custody of the Department of Corrections (assuming state inmates housed at the local level).

Legislation further requires that a portion of the sentence for certain offenders be imposed without the benefit of parole, probation, or suspension of sentence. Expenditures could increase to the extent persons convicted of this crime must serve at least five years. For illustrative purposes, if one person was convicted of this crime it would cost the state \$44,512\$ to house the offender at the local level for the minimum sentence of five years (1 offender x 1,825 days x \$24.39 = \$44,512).

REVENUE EXPLANATION

There is no anticipated direct material effect on governmental revenues as a result of this measure. However, any revenue generated through the imposition of higher fines created by this legislation would accrue to local governmental entities.

<u>Senate</u>		<u>Dual Refer</u>	<u>ral Rules</u>
13.5	5.1 >= \$500,0	000 Annual	Fiscal Cost
13.5	5.2 >= \$500,0	000 Annual	Tax or Fee
	Cha	ange	

lΟι	<u>use</u>			
	6.8(F) >= \$500,000	Annual	Fiscal	Cost

Robert E. Hosse LFO Staff Director

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6.8(G) >= \$500,000 Tax or Fee Increase or a Net Fee Decrease LFO Sta